

OFFICES IN

1201 New York Avenue, N.W., Suite 1000  
Washington, D.C. 20005-3917  
(202) 962-4800 Fax: (202) 962-8300  
[www.venable.com](http://www.venable.com)

WASHINGTON, D.C.  
MARYLAND  
VIRGINIA



Assistant Commissioner for Patents  
Washington, D.C. 20231  
**ATTN: BOX PATENT APPLICATION**

Inventor(s): Manfred DOMBEK



February 5, 2001

RECEIVED

NOV 16 2001

TC 1700

Attorney Docket: 31512-168230 RK

Robert Kinberg  
(202) 962-4051  
[rkinberg@venable.com](mailto:rkinberg@venable.com)

Title: **METHOD AND APPARATUS FOR INCREASING THE PERMEABILITY OF WRAPPERS OF ROD-SHAPED ARTICLES**

Sir:

Please find attached hereto patent application. It is hereby requested that this application be accorded a filing date pursuant to 37 C.F.R. 1.53(b)(1). Enclosed are:

- 43 pages Specification, Claims, Abstract
- 2 sheets of Formal Drawings
- Declaration/Power of Attorney
- Assignment, certified cover sheet and recordation fee.
- Priority is claimed under 35 USC 119 from German Patent Application No.100 04 908.7 filed February 4, 2000 (certified copy enclosed) and 100 04 906.4 filed February 4, 2000 (certified copy to follow).
- Information Disclosure Statement, PTO form 1449 with references cited.

**Fees:** (see formula below) Check Enclosed

Basic Fee: .....\$710.00  
Recordation Fee: ..... 40.00

**TOTAL FEES ENCLOSED FOR ABOVE APPLICATION.... \$750.00**

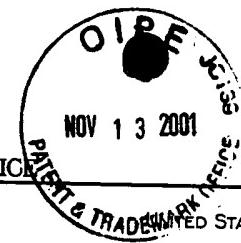
In the event there is attached hereto no check, or a check for an insufficient amount, please charge the fee to our Account No. 22-0261 and notify us accordingly.

Respectfully submitted,

Robert Kinberg  
Registration No. 26,924  
VENABLE  
P.O. Box 34385  
Washington, D.C. 20043-9998  
Telephone: (202) 962-4800  
Telefax: (202) 962-8300



UNITED STATES PATENT AND TRADEMARK OFFICE



Page 1 of 2  
R2K

31512-168230

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/775,638	02/05/2001	Manfred Dombek	31512-168230RK

Robert Kinberg  
VENABLE, BAETJER, HOWARD &  
P.O. Box 34385  
Washington, DC 20043-9998

DOCKETED  
*Notice of omitted items due*  
CLIENT/MATTER # 31512-168230  
DUE DATE 12/22/2001  
FINAL DEADLINE 12/22/2001  
DKTED BY Br MDR

CONFIRMATION NO. 8302

FORMALITIES LETTER

OC0000000006950906\*

NOV 16 2001

TC 1700

Date Mailed: 10/22/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

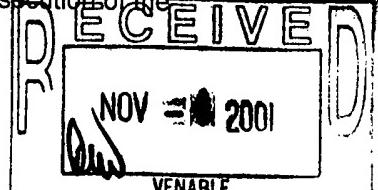
- Page(s) 32 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.



---

*Qn*

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

94338

Venable Filing Number



**RECEIVED**  
NOV 16 2001  
**TC 1700**

February 5, 2001

Filing Date

Atty. Docket No. 31512-168230 RK  
Re: Manfred DOMBEK

Application No.: Not Yet AssignedFiling Date: Concurrently  
Issue Date:

Patent No.: \_\_\_\_\_

Trademark Reg. No.: \_\_\_\_\_

Trademark: \_\_\_\_\_

Opposition/Cancellation No: \_\_\_\_\_

The following items were received from Venable  
Washington, D.C., by the U.S. Patent & Trademark Office:

- Transmittal Letter
- New Patent Application , (43 pages)/specification claims and abstract
- Formal Drawings (2 Sheets)
- Invention Declaration
- Small Entity Declaration
- Translation of International Application
- New U.S. TM Application ( \_\_\_ specimens)
- Rule 53(d) Continuation or Division Application
- Rule 53(b) Continuation or Division
- Application (in Duplicate) (attach copy of specifications, claims, drawings & declaration)
- Priority Document-Cert. Copy of German Appn. #100 04 908.7 Date 2-04-00
- Assignment w/ Cover Sheet
- IDS w/ PTO – 1449 (w/cited references)
- Response
- Preliminary Amendment
- Petition/Request for Extension of Time
- Notice of Appeal
- Appeal Brief (in triplicate)
- Request for Oral Hearing
- Confirmation of Hearing Petition
- Issue Fee Transmittal
- Certificate of Correction
- Maintenance Fee Transmittal
- TM Statement of Use
- Declaration Under 8
- Declaration Under 8 and 15
- TM renewal Application
- Notice of Opposition
- Request for Corrected Filing Receipt
- Terminal Disclaimer

**U.S. PTO FEES ENCLOSED**

<b>710.00</b>	<b>Filing Fee</b>
<b>40.00</b>	<b>Surcharge Fee</b>
	<b>Additional Claim Fee</b>
	<b>Recordation/Indexing Fee</b>
	<b>IDS Fee</b>
	<b>Extension Fee</b>
	<b>Notice of Appeal Fee</b>
	<b>Brief on Appeal Fee</b>
	<b>Oral Hearing Request Fee</b>
	<b>Petition Fee</b>
	<b>Issue Fee</b>
	<b>Maintenance Fee</b>
	<b>TM Statement of Use</b>
	<b>8 Affidavit Fee</b>
	<b>8 and 15 Affidavit</b>
	<b>TM Renewal Application Fee</b>
	<b>Notice of Opposition Fee</b>
	<b>Terminal Disclaimer</b>

Fee: **750.00**  
Check Number \_\_\_\_\_

Please type a plus sign (+) inside this box → 

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1731

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/775,638
		Filing Date	February 5, 2001
		First Named Inventor	Manfred DOMBEK
		Group Art Unit	1731
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	7	Attorney Docket Number	31512-168230 RK

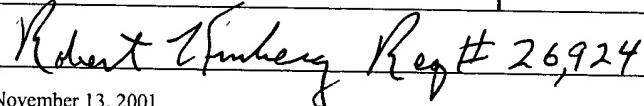
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	-Copy of Notice of Omitted Item(s) dated October 22, 2001
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	-Copy of Transmittal, original receipt and PTO-stamped receipt of 09/05/01 and Page 32 of the spec
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		This Petition is being filed in response to the Notice of Omitted Item(s) dated October 22, 2001.

RECEIVED

NOV 16 2001

TC 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Venable P.O. Box 34385 Washington, D.C. 20043-9998	 26694 PATENT TRADEMARK OFFICE
Signature		
Date	November 13, 2001	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name		
Signature		Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2002

Patent fees are subject to annual revision.

NOV 13 2001

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known	
Application Number	09/875,294
Filing Date	February 5, 2001
First Named Inventor	Manfred DOMBEK
Examiner Name	Not Yet Assigned
Group / Art Unit	1731
Attorney Docket No.	31512-168230 RK

RECEIVED

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)					
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">22-0261</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">VENABLE</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<span style="font-size: 2em; font-weight: bold;">TO 1700</span> NOV 16 2001 Fee Paid					
<p><input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check    <input type="checkbox"/> Credit card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>										
FEE CALCULATION										
1. BASIC FILING FEE										
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description		Fee Paid				
101	740	201	370	Utility filing fee		<span style="border: 1px solid black; padding: 2px;"></span>				
106	330	206	165	Design filing fee		<span style="border: 1px solid black; padding: 2px;"></span>				
107	510	207	255	Plant filing fee		<span style="border: 1px solid black; padding: 2px;"></span>				
108	740	208	370	Reissue filing fee		<span style="border: 1px solid black; padding: 2px;"></span>				
114	160	214	80	Provisional filing fee		<span style="border: 1px solid black; padding: 2px;"></span>				
SUBTOTAL (1) <span style="border: 1px solid black; padding: 2px;">(\$ 0)</span>										
2. EXTRA CLAIM FEES										
Total Claims	<span style="border: 1px solid black; padding: 2px;"></span>	-	** = <span style="border: 1px solid black; padding: 2px;">0</span>	X <span style="border: 1px solid black; padding: 2px;"></span>	= <span style="border: 1px solid black; padding: 2px;">0</span>	Extra Claims	Fee from below	Fee Paid		
Independent Claims	<span style="border: 1px solid black; padding: 2px;"></span>	-	** = <span style="border: 1px solid black; padding: 2px;">0</span>	X <span style="border: 1px solid black; padding: 2px;"></span>	= <span style="border: 1px solid black; padding: 2px;">0</span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>		
Multiple Dependent					X <span style="border: 1px solid black; padding: 2px;"></span>	= <span style="border: 1px solid black; padding: 2px;">0</span>				
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description		Fee Paid				
103	18	203	9	Claims in excess of 20		<span style="border: 1px solid black; padding: 2px;"></span>				
102	84	202	42	Independent claims in excess of 3		<span style="border: 1px solid black; padding: 2px;"></span>				
104	280	204	140	Multiple dependent claim, if not paid		<span style="border: 1px solid black; padding: 2px;"></span>				
109	84	209	42	** Reissue independent claims over original patent		<span style="border: 1px solid black; padding: 2px;"></span>				
110	18	210	9	** Reissue claims in excess of 20 and over original patent		<span style="border: 1px solid black; padding: 2px;"></span>				
SUBTOTAL (2) <span style="border: 1px solid black; padding: 2px;">(\$ 0)</span>										
Other fee (specify) <u>Petition Under 37 CFR 1.53(b)</u> <span style="border: 1px solid black; padding: 2px;">130.00</span>										
*Reduced by Basic Filing Fee Paid							SUBTOTAL (3) <span style="border: 1px solid black; padding: 2px;">(\$ 130)</span>			

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Robert Kinberg		Registration No. Attorney/Agent)	26,924		Telephone	202.962-4800
Signature						Date	November 13, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.